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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,859	06/01/2001	Coyle Brett Marl	05146.00006	1098

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EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/872,859	Applicant(s) MARL ET AL.	
	Examiner Hussein A. El-chanti	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-11, 21-26, 28, 29 and 31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-11, 21-26, 28-29 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This action is responsive to amendment received on April 8, 2005. Claims 1, 12-20, 27, 30 and 32-35 were canceled. Claims 2, 21, 24-26, 28 and 31 were amended. Claims 2-11, 21-26, 28-29 and 31 are pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 2-3, 21, 29-29 and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Hong, WO 00/225443 (Hong hereafter).

As per claims 2, 21, 28 and 31, Hong teaches a method and device for determining information for accessing an electronic mail account according to an electronic mail protocol, comprising receiving an address for delivering electronic mail to an electronic mail account; receiving a password for accessing the electronic mail account; extracting (parsing), from the address, a user name (user identifier or userid) and an electronic mail account domain for the electronic mail account; and determining whether the electronic mail account domain, user name and password can be used to access the electronic mail account according to the electronic mail protocol (abstract; page 2, 2nd paragraph),

Determining whether the e-mail account, domain, and password can be used to access the e-mail account according to the e-mail protocol wherein the electronic mail

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account domain, user name and password can be used to access the electronic mail account according to the electronic mail protocol includes determining if the electronic mail account domain is included in a list of closed domains that do not include server computers employing the electronic mail protocol (page 2, 4th paragraph; access database stores the accessed domains for future reference [page 10, 3rd paragraph] and page 6).

As per claim 3 and 29, Hong teaches if the electronic mail account domain is not included in the list of closed domains, further including: accessing a list of known domains, such that at least one server computer known to employ the electronic mail protocol is associated with each of the known domains; mapping the electronic mail account domain against the list of known domains; and if the electronic mail account domain is included in the list of known domains, attempting to access the electronic mail account at one or more of the server computers associated with the electronic mail account domain using the user name and address (page 2, 4th paragraph; page 9, 3rd paragraph),

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 4-11 and 22-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hong in view of "Official Notice".

As per claims 4 and 5, Hong teaches the user enters in his email address and password to log on to the system (page 10, 5th paragraph). Hong does not teach prompting the user to re-enter in user name and password for failed user name and/or password.

However, it is well known and expected in the art when the electronic mail account cannot be accessed through the computer server because of an incorrect username or password, the system then prompts a user to resubmit the user name (email address) and password for the electronic mail account, and attempting to access (log on) the electronic mail account by using the resubmitted user name and password. Therefore, it would have been obvious to include a mechanism that would allow the user to reenter their user name and password in case of a typo or incorrect-entry of data,

As per claims 6-11 and 22-26, Hong teaches parsing the email address to extract the domain name from the email address (page 2, 2nd paragraph). Hong teaches if the extracted domain name does not match with the domain name stored in the system (Table T2, fig. 2), the mail client application (MCA) sends out a DNS inquiry to check for the Mail Exchange (MX) record to obtain a list of domain names from DNS database that support a plurality of email protocols such as POP3, IMAP4, etc (page 2; 2nd paragraph). The MCA then uses the userid (email address) and password previously entered by the client [S1, fig. 3A; page 10, 5th paragraph] to match with data from an

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email account from one of the domain servers obtained from the inquiry above. If the response is positive, then emails from the user's server can be retrieved by the MCA for access by the user and the user's server and domain are saved as defaults in the access database (Tables T1, T2, fig. 2) for future reference in order to gain faster email access. The claimed method is an obvious variation of Hong teachings since Hong teaches the system upon obtaining a list of all the domain name variations of the server, the system checks each one to determine if they work (page 9, 3rd paragraph; page 10, 3rd paragraph.) Hong does not specifically teach adding mail, pop, pop3 to the domain name. "Official Notice" is taken that it is well known and common in the art to use mail, pop, pop3, etc., as prefix for a mail server domain name. Hence, it would have been obvious to one of ordinary skill in the art to use the prefix mail, pop, pop3, because it would enable a quick with high probability search for determining whether a mail server exists at the domain name.

Response to Arguments

4. Applicant's arguments filed have been fully considered but they are not persuasive.

In the remarks, the applicant argues in substance that; A) Hong does not disclose determining if the e-mail account domain is included in a list of closed domains that do not include server computers employing the e-mail protocol.

In response to A) Hong teaches a system and method for updating the access database with a record of a previously unrecorded server identified as the user's server or identified as supporting the predetermined protocol or protocols (see page 3). Hong

teaches retrieving e-mail for a user at a location remote from user's electronic mail server comprises a web-based electronic mail software application or remote access mail client operation. Associated with the remote access mail client is a dynamic access database containing records of servers which support a specified electronic mail protocol or protocols, (POP3) and the Internet Message Access Protocol. Hong also teaches searching the database to determine whether any of the servers on the list support the requested protocol (see page 6). Therefore Hong teaches the limitation "determining if the e-mail account domain is included in a list of closed domains that do not include server computers employing the e-mail protocol".

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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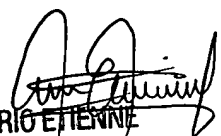
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A. El-chanti whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hussein El-chanti

July 25, 2005


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
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